

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MARLO DURAN,  
Plaintiff,

v.

DARRIN BRIGHT, et al.,  
Defendants.

Case No. [17-cv-07299-RS](#) (PR)

**ORDER OF DISMISSAL**

Plaintiff has not complied with the Court's order to file an amended complaint by the deadline. Accordingly, this federal civil rights action is DISMISSED for failure to comply with the Court's order and under Federal Rule of Civil Procedure 41(b) for failure to prosecute. Because this dismissal is without prejudice, plaintiff may reopen this action at any time. Any motion to reopen must be accompanied by an amended complaint that complies in all respects with the instructions contained in the Court's order dismissing the complaint with leave to amend. (Dkt. No. 5.) The Clerk shall enter judgment in favor of defendants, and close the file.

**IT IS SO ORDERED.**

**Dated:** April 17, 2018

  
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RICHARD SEEBORG  
United States District Judge